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UNITED STATES PATENT AND TRADEMARK OFFICE  
(Case No. 01-1278-D)

PATENT

In the Application of:  
Chen, et al.

Serial No.: 10/058,466

Filed: January 28, 2002

For: Method and Medium for Detecting  
Vancomycin-Resistant Enterococcus

)  
)  
) Art Unit: 1648

)  
) Examiner: Li  
)  
)  
)

TRANSMITTAL LETTER

MAIL STOP AF  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Dear Sir:

In regard to the above identified application,

1. We are transmitting herewith the attached:

- a) Communication;
- b) PTO Form 1449
- c) Three (3) cited references; and
- d) Return postcard

2. With respect to fees:

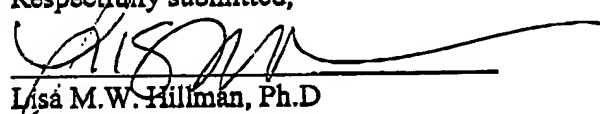
- a) It is believed no fee is due at this time.
- b) Please charge any underpayment or credit any overpayment our Deposit Account, No. 13-2490.

3. GENERAL AUTHORIZATION: Please charge any additional fees or credit overpayment to Deposit Account No. 13-2490. A duplicate copy of this sheet is enclosed.

4. CERTIFICATE OF MAILING UNDER 37 CFR § 1.8: The undersigned hereby certifies that this Transmittal Letter and the paper, as described in paragraph 1, are being deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to the Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on November 8, 2004.

Date: November 8, 2004

Respectfully submitted,



Lisa M.W. Hillman, Ph.D  
Registration No. 43,673



**PATENT**

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(Case No. 01-1278-D)

In the Application of:	)	
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Filed: January 28, 2002	)	
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For: Method and Medium for Detecting	)	
Vancomycin-Resistant Enterococcus	)	

**COMMUNICATION**

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Dear Sir:

The Office has asserted that several of the references submitted with the Information Disclosure Statement on March 1, 2004 were illegible. Applicants have attached legible copies of the references along with a PTO Form 1449. Applicants respectfully request that the Examiner initial the form and return the form to Applicants. A fee was paid when these references were submitted on March 1, 2004. Therefore, it is believed that no additional fee is due; however, if a fee is due the Commissioner is authorized to charge our deposit account number 13-2490.

**Cited References**

1. Morris, "VRE: Are We Losing the Battle?", *Infectious Disease Alert*, 14:189-190 (1995).
2. Murray, "The Life and Times of the Enterococcus," *Clin. Microbiol. Rev.*, 3(1):46-65 (1990).
3. U.S. Department of Health and Human Services - Public Health Service,

"Recommendations for Preventing the Spread of Vancomycin Resistance -- Recommendations of the Hospital Infection Control Practices Advisory Committee (HICPAC)," *MMWR Recommendations and Reports*, Vol. 44/No. RR-12 (September 22, 1995).

Respectfully submitted,  
**McDonnell Boehnen Hulbert & Berghoff LLP**

Date: November 8, 2004

By: 

**Lisa M.W. Hillman, Ph.D**

**Registration No. 43,673**

FORM PTO-1449  
(Rev. 2-32)

U.S. Department of Commerce  
Patent and Trademark Office

Atty. Docket No.

01-1278-D

Serial No.

10/058,466

**SECOND SUPPLEMENTAL INFORMATION DISCLOSURE  
STATEMENT BY APPLICANT**

(Use several sheets if necessary)



Applicant:

Li, et al.

Filing Date:

February 28, 2002

Group:

1648

**U.S. PATENT DOCUMENTS**

Examiner Initial	Document Number	Date	Name	Class	Subclasses	Filing Date if Appropriate

**OTHER DOCUMENTS (Including Author, Title, Date, Pertinent Pages, Etc).**

		1.	Morris, "VRE: Are We Losing the Battle?", <i>Infectious Disease Alert</i> , 14:189-190 (1995)
		2.	Murray, "The Life and Times of the Enterococcus," <i>Clinical Microbiol. Rev.</i> , 3(1):46-65 (1990)
		3.	U.S. Department of Health and Human Services – Public Health Service, "Recommendations for Preventing the Spread of Vancomycin Resistance – Recommendations of the Hospital Infection Control Practices Advisory Committee (HICPAC)," <i>MMWR Recommendations and Reports</i> , Vol. 44/No. RR-12 (September 12, 1995)
EXAMINER			DATE CONSIDERED

EXAMINER: Initial if citation considered, whether or not citation is in conformance with MPEP 609; Draw line through citation if not in conformance and not considered. Include copy of this form with next communication.